

1 REMARKS

2 Status of the Claims

3 Claims 1-8 and 10-17 are now pending in the present application, Claim 9 having been
4 previously cancelled, and Claims 1, 2, and 4 having been amended in this response to more clearly
5 define the subject matter thereof. Claims 3 and 8 and 12 have been amended to correct minor
6 typographical errors. Claim 10 has been amended to correct a punctuation error.

7 Claims Rejected under 35 U.S.C. § 103(a)

8 The Examiner has rejected Claims 1-8 and 9-17 as being unpatentable under 35 U.S.C.
9 § 103(a) over Excel 2000™ (hereinafter "Excel"), released in 1999, screenshots pages 1-16 and
10 additional screenshots pages 1-5. Applicants respectfully disagree for the reasons noted below.

11 In the interest of reducing the complexity of the issues for the Examiner to consider in this
12 response, the following discussion focuses on independent Claims 1, 8, and 10. The patentability of
13 each remaining dependent claim is not necessarily separately addressed in detail. However,
14 applicants' decision not to discuss the differences between the cited art and each dependent claim
15 should not be considered as an admission that applicants concur with the Examiner's conclusion that
16 these dependent claims are not patentable over the disclosure in the cited references. Similarly,
17 applicants' decision not to discuss differences between the prior art and every claim element, or every
18 comment made by the Examiner, should not be considered as an admission that applicants concur
19 with the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe
20 that all of the dependent claims patentably distinguish over the references cited. However, a specific
21 traverse of the rejection of each dependent claim is not required, since dependent claims are
22 patentable for at least the same reasons as the independent claims from which the dependent claims
23 ultimately depend.

24 Rejection of Independent Claim 1

25 Significant differences exist between applicants' claim recitation and Excel because Excel
26 does not appear to teach or suggest applicants' first step, which is recited as "receiving a user
27 command to create the list" and Excel does not appear to teach or suggest applicants' recitation in
28 this claim that if no pre-existing data is to be imported into the list, a worksheet is created in the
29 electronic spreadsheet program. Finally, the combination of Excel's teaching of a list and the prior
30 art teaching of an object does not teach or suggest the last step recited in this claim of a continuing

1 association between each field within each record such that each field remains associated with other
2 fields within each record when the record is **manipulated**, regardless of whether a user selects all of
3 the fields within each record when manipulating records within the list and regardless of whether a
4 user identifies the list.

5 The first step of applicants' independent Claim 1 has been amended to more clearly define
6 applicants' technique by reciting, "receiving a user command to create the list, wherein said user
7 command enables a user to create the list by guiding a user through performance of a plurality of
8 sequences that result in the creation of the list." The Examiner has asserted that Excel teaches this
9 step and has cited Screen pages 2-9 from the reference in support of his assertion. The Examiner has
10 asserted that the user can import the data externally as shown in the screenshots, or the user can
11 manually input the data. It appears to applicants that the Examiner believes that in regard to Screen
12 page 2, when the user invokes the "Data, Get External Data, Import Text File" drop down menu
13 selections, these selections are equivalent to a user command. It further appears that the Examiner
14 believes the resulting importation of data is equivalent to the generation of a list. In the alternative,
15 the Examiner may believe that if a user opens up an electronic spreadsheet program and manually
16 types in data, the effect is that a list has been generated by the typing of data into the cells and so that
17 the spreadsheet program essentially receives a user command (by the user entering data), which
18 results in the generation of a list (as the user types in data).

19 Applicants have amended their first step to clarify that a user command enables a user to
20 proceed through the list creation process by performing a plurality of sequences, each sequence
21 comprising a plurality of steps. Notice that applicants disclose:

22 The present invention allows a user to create a List Object from scratch on a new
23 worksheet or convert existing data on a worksheet in the MICROSOFT EXCEL for
24 MAC spreadsheet program into a List Object. The main entry point to create a List
25 Object is through the "**List...**" **command** on the "Insert" drop-down menu from the
26 Toolbar. Alternatively, the user can create a List Object by selecting the "**List...**"
27 **option** from the Project Gallery startup dialog box. The Project Gallery startup dialog
28 box appears whenever the MICROSOFT EXCEL for MAC spreadsheet program is
29 launched or the user selects to open a new worksheet from the "File" drop-down menu
30 of the Toolbar (Emphasis added, see applicants' specification, page 9, lines 18-27.)

Thus, applicants disclose a specific command that is utilized to begin the list creation process,
and this command guides the user through the list creation process. Therefore, Excel's enabling the
user to import data externally through a "Text Import Wizard," as shown in Screen pages 2-6, or

1 enabling the user to simply type in data into several cells is not equivalent to applicants' claim
2 recitation of "receiving a user command to create the list, wherein said user command enables a user
3 to create the list by guiding a user through performance of a plurality of sequences that result in the
4 creation of the list."

5 A portion of the third part of applicants' second step in Claim 1 has been amended to more
6 clearly define applicants' technique by reciting "performing a first sequence comprising the steps of:
7 if no pre-existing data is to be imported into the list, creating a worksheet in the electronic
8 spreadsheet program." The Examiner asserts that Excel discloses this step, since Excel teaches
9 creating a list in the worksheet in the spreadsheet program with reference to Screen pages 7 and 8 and
10 further has asserted that the data can be input manually and then selected by the user to indicate the
11 list.

12 However, the data shown on Screen pages 7 and 8 appears to be the result of importing data,
13 as shown in Screen page 3. In contrast, applicants recite that the creation of the worksheet occurs
14 when no pre-existing data is to be imported into the list. Second, even if a user manually types this
15 data into a worksheet being created by a user, significant differences exist between Excel and
16 applicants' claim recitation. Applicants' claim recites that a user is guided through this first sequence
17 by a user command. There is no similar or equivalent step disclosed in Excel to prompt the user
18 through the first sequence such that if no pre-existing data is to be imported into the list, a worksheet
19 is created.

20 Finally, applicants' last step (with emphasis added) recites "creating a continuing association
21 between each field within each record such that each field remains associated with other fields within
22 each record when the record is **manipulated**, regardless of whether a user selects all of the fields
23 within each record when manipulating records within the list and *regardless of whether a user*
24 *identifies the list.*" The Examiner has also asserted in the section entitled "Response to Arguments"
25 that the Examiner believes that Excel does teach an object, such as a *chart object*, which maintains a
26 permanent association among the data points to present them on a chart. Thus, the Examiner
27 concludes that although a *list* as implemented in the prior art reference of Excel does require a user to
28 identify the list in order to perform field manipulations within the list, the object as taught by Excel
29 does not require the identification or selection by the user to maintain an association between the data
30 contained in the object. The Examiner believes one of ordinary skill in the art at the time of the

1 invention would have found it obvious to combine the prior art teaching of a list and the prior art
2 teaching of an object disclosed by Excel to create a list object, as defined in independent "Claim 3"
3 [sic]. The Examiner asserts that the motivation to make the combination lies in the motivation to use
4 objects, which in part, is to simplify and improve the organization of data in the object. Another
5 advantage of objects as used in the prior art Excel reference is that they maintain a continuing
6 association among the data contained in the object.

7 However, applicants continue to respectfully disagree. Excel's chart object does not create a
8 continuing association, as recited by applicants' claim. One aspect of applicants' claim recitation is
9 that when a record is **manipulated**, a continuing association has been created between each field
10 within each record, so that each field remains associated with other fields within each record. For
11 example, utilizing Excel 2000™, applicants have created a chart object in Excel that includes the
12 following values, as reproduced below:

13

14 1	2	3
15 4	5	6

16

17 Thus, this chart object includes three fields (i.e., the three columns) and two records (i.e., the
18 two rows). One record comprises the values "1," "2," and "3" and the second record comprises the
19 values "4," "5," and "6." Notice that the fields include values that are in **ascending** order (i.e., the
20 first field in the first record has a "1" and is followed by a higher value "4," as the first field in the
21 second record. Similarly, the second field in the first record has a "2," and is followed by a higher
22 value "5", as the second field in the second record, etc. However, when applicants select the first
23 field (or first column) of data (specifically the cells including the values "1" and "4" in this example),
24 and perform a manipulation of the records by telling Excel to sort the field values in **descending**
25 order, the value "4" now appears first (in the first row) followed by the lower value "1" in the second
26 row. Please note that the other two fields **remain unchanged** in the first and second records, as
27 shown below:

28

29 4	2	3
30 1	5	6

1
2 Thus, the effect of sorting the first field was that the first fields of the two records were
3 "scrambled," because there is no continuing association between each field within each record such
4 that each field remains associated with other fields within each record when the record is manipulated
5 by sorting.

6 If a chart object in Excel did maintain a continuing association, as recited by applicants'
7 claim, the chart would then have the following values after the records were manipulated by sorting
8 on the first field value:

9

4	5	6
1	2	3

10
11

12 Thus, the order of the records is changed, but the fields in each record remain associated with each
13 other. What is now the second record thus including the values "1", "2", and "3" and thus still has the
14 cells associated with each other, while what is now the first record including the values "4", "5" and "6"
15 and also still has cells associated with each other. As is apparent from this trivial example set forth above,
16 no motivation can possibly exist to combine the prior art of a list and object since the chart object does not
17 create a continuing association, and the records became scrambled from the manipulation in the first part
18 of this example. Further, even if the prior art of a list and object were combined, clearly, all the claim
19 limitations of independent Claim 1 would still not be taught or suggested, since a continuing association
20 between the field values of a record would not exist after the manipulation. In contrast, applicants'
21 approach retains the association between the field values of each record, after the manipulation.

22 Because dependent claims inherently include all of the recitation of the independent claim from
23 which the dependent claims ultimately depend, and because the art cited does not disclose or suggest all
24 of the recitation of independent Claim 1, the rejection of dependent Claims 2-7 should be withdrawn
25 because these dependent claims are patentable for at least the same reasons as Claim 1.

26 Rejection of Independent Claim 8

27 Independent Claim 8 is directed towards a computer-readable medium containing computer-
28 executable instructions for displaying a plurality of dialog boxes that enable a user to graphically create a
29 List Object comprising a plurality of records, each record comprising a plurality of fields in a spreadsheet.
30 Significant differences exist between applicants' claim recitation and Excel because Excel does not

1 appear to teach or suggest a continuing association between each field within each record such that each
2 field remains associated with other fields within each record when the record is manipulated.

3 In its entirety, applicants' last step in Claim 8 recites "creating a continuing association between
4 each field within each record such that each field remains associated with other fields within each record
5 when the record is manipulated, regardless of whether a user selects all of the fields within each record
6 when manipulating records within the list." However, under the section entitled "Response to
7 Arguments," the Examiner has asserted that an object in Excel maintains a continuing association of the
8 data contained within the object. And since the prior art reference of Excel already identifies a list as an
9 entity, the Examiner concludes that it would have been obvious to one of ordinary skill in the art at the
10 time of the invention, to have implemented a list as an object, such that the list gains the benefit of the
11 qualities of being an object, i.e., maintaining a continuous association among the data contained in the
12 object regardless of whether the user identifies the list-object.

13 However, applicants respectfully disagree with the Examiner that an object in Excel maintains a
14 continuing association of the data contained within the object. As shown in the example set forth above,
15 values might be entered into six different cells in an Excel 2000™ spreadsheet, thus forming a cell
16 structure. This structure might then be stored as a "FILE1." A different Excel file called "FILE2" might
17 be opened, and utilizing a drop-down menu option, "Insert Object>Create from File" FILE1 could be
18 inserted into FILE2. In this manner, an object (the data of "FILE1") can be inserted into the spreadsheet,
19 i.e., FILE2. On page 6 of the current Office Action, the Examiner indicates that Screen page 16 illustrates
20 that this approach is employed to embed objects into a spreadsheet. However, applicants respectfully
21 disagree with the Examiner. A test was made to determine if the Examiner's assertion was correct.
22 However, when applicants attempted to open the newly created object in "FILE2," to manipulate it as was
23 done in the example set forth above, the field values for each of the records were scrambled. Therefore,
24 for reasons similar to those set forth above in connection with independent Claim 1, the prior art does not
25 teach or suggest creating a continuing association, as claimed by applicants.

26 Accordingly, the rejection of independent Claim 8 under 35 U.S.C. § 103(a) should be withdrawn
27 since the cited art does not teach or suggest all of the recitation of Claim 8.

28 Rejection of Independent Claim 10

29 Independent Claim 10 is directed towards a user interface operable for graphically creating a List
30 Object comprising a plurality of records, each record comprising a plurality of fields within a spreadsheet.

1 Significant differences exist between applicants' claim recitation and Excel because Excel does not teach
2 or suggest all of the recited functionality of applicants' first, second, and third dialog boxes.

3 Applicants' first dialog box comprises a first plurality of *input* elements and a second plurality of
4 input elements. Under the section entitled "Response to Arguments" the Examiner asserts that the data
5 selection (of applicants' first plurality of input elements in the first dialog box) and list placement (of
6 applicants' second plurality of input elements in the first dialog box) is shown in Screen pages 2 and 6,
7 respectively. The Examiner believes it would have been obvious to one of ordinary skill in the art at the
8 time of the invention to have used a different number of dialog boxes to have improved the efficiency of
9 the creation of the list. However, the use of two dialog boxes is neither taught nor suggested by any of the
10 prior art. Applying hindsight to conclude that it would have been more efficient to use two dialog boxes
11 is not an acceptable basis for determining that this aspect of the claim recitation would have been obvious.

12 Applicants' claim recites that the second dialog box includes a field form box that receives a field
13 name for each field defined in the window. Under the section entitled "Response to Arguments" the
14 Examiner asserts that Screen shots 3, 4 and 5 teach the elements of the second dialog box. The Examiner
15 asserts that some of the plurality of options available to the user are selecting a delimiter between the
16 fields, selecting the data format of the fields, and adjusting the width of the fields. The Examiner further
17 notes that a drop-down list is a type of selection list and was known to one of ordinary skill in the art at
18 the time of the invention and is advantageous because it only uses a small amount of space on the screen
19 when a selection is not being made.

20 However, it is not apparent how the Screen shot of pages 3, 4 or 5 teach that a field form box
21 receives the field name for each field defined in the window. Notice that the Text Import Wizard screen
22 of pages 4 and 5 are marked Data preview and page 3 is marked preview of file. Thus, these screens are
23 not operable for receiving a field name.

24 Applicants' third dialog box recites that: (1) a reference box *shows a name* associated with the
25 List Object; and, (2) a "Finish" button creates the List Object, such that each field in each record is
26 logically and continually associated with every other field in the record. However, under the section
27 entitled "Response to Arguments," the Examiner asserts that Excel teaches applicants' third dialog box, as
28 shown on Screen page 6, where the prior art discloses a button for creating and saving the list. The
29 Examiner notes that this reference does not specifically show naming the list, but indicates that naming a
30 list is an obvious teaching from Excel's disclosure of objects, since Excel does teach how to uniquely

1 name an object. Thus, in making a list an object, the Examiner asserts that Excel suggests to one of
2 ordinary skill in the art that a list can be named when made as an object. For at least these reasons, the
3 Examiner maintains the rejection of independent Claim 10 as being obvious over Excel.

4 First, notice that applicants' claim recites a reference box for showing a name *associated with* the
5 List Object. In contrast, the Examiner has interpreted this portion of the claim as naming a list. Thus,
6 since the Examiner's interpretation is contrary to the clear recitation of the claim, Excel does not teach or
7 suggest all of the functionality of applicants' third dialog box.

8 Furthermore, as explained in connection with independent Claim 8, the prior art does not teach or
9 suggest the creation of a List Object such that each field in each record is logically and continuously
10 associated with the other fields in the record. Accordingly, since the cited art does not teach or suggest all
11 of what is recited in independent Claim 10, the rejection of independent Claim 10 under
12 35 U.S.C. § 103(a) should be withdrawn.

13 Because dependent claims inherently include all of the recitation of the independent claims from
14 which the dependent claims ultimately depend, and because the art cited does not disclose or suggest all
15 of the recitation of independent Claim 10, the rejection of dependent Claims 11-17 should be withdrawn
16 because these dependent claims are patentable for at least the same reasons as independent Claim 10.

17 In view of the amendments and Remarks set forth above, it will be apparent that the claims in this
18 application define a novel and non-obvious invention, and that the application is in condition for
19 allowance and should be passed to issue without further delay. Should any further questions remain, the
20 Examiner is invited to telephone applicants' attorney at the number listed below.

21 Respectfully submitted,

22 

23 Sabrina K. MacIntyre
24 Registration No. 56,912

25 SKM/RMA:elm
26

27 MAILING CERTIFICATE

28 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a
29 sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for
30 Patents, Alexandria, VA 22313-1450, on January 4, 2006.

Date: January 4, 2006

